

IPW

RESPONSE UNDER RULE 116
EXPEDITED HANDLING PROCEDURES

In re Patent Application of

Atty BJS-249-323

Dkt.

C# M#

SHIBUYA, et al.

C/A.U.

1642

Serial No. 10/763,276

Examiner: Reddig

Filed: January 26, 2004

Date: April 30, 2007

Title: SUBSTANCE WHICH INHIBITS BIDDING OF INFORMATION TRANSFER
MOLECULE FOR 1175-TYROSINE PHOSPHORYLATED KDR/FLK-1 AND
USAGES OF THE SAME

**Attachments:**

- (1) Second Amendment After Final Rejection;
- (2) Request for Continued Examination (RCE) Transmittal;
- (3) IDS, PTO-1449 Form & cited Eum et al reference;
- (4) English translation of previously-submitted deposit receipt; and
- (5) Credit Card Payment Form

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

| | | | |
|--|----|----------------------|--------------------------------|
| Total effective claims after amendment | 8 | minus highest number | |
| previously paid for | 20 | (at least 20) = | 0 x \$50.00 |
| | | | \$0.00 (1202)/\$0.00 (2202) \$ |

| | | | |
|------------------------------------|---|----------------------|--------------------------------|
| Independent claims after amendment | 2 | minus highest number | |
| previously paid for | 3 | (at least 3) = | 0 x \$200.00 |
| | | | \$0.00 (1201)/\$0.00 (2201) \$ |

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1203)/\$180.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

| | |
|------------------------|--------------------------------------|
| One Month Extension | \$120.00 (1251)/\$60.00 (2251) |
| Two Month Extensions | \$450.00 (1252)/\$225.00 (2252) |
| Three Month Extensions | \$1020.00 (1253)/\$510.00 (2253) |
| Four Month Extensions | \$1590.00 (1254)/\$795.00 (2254) |
| Five Month Extensions | \$2160.00 (1255)/\$1080.00 (2255) \$ |

Terminal disclaimer enclosed, add
\$130.00 (1814)/\$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

| | | | |
|---|-----------------|----|------|
| Rule 56 Information Disclosure Statement Filing Fee | \$180.00 (1806) | \$ | 0.00 |
|---|-----------------|----|------|

| | | | |
|--------------------------|----------------|----|------|
| Assignment Recording Fee | \$40.00 (8021) | \$ | 0.00 |
|--------------------------|----------------|----|------|

| | | | |
|---|---------------------------------|----|--------|
| Other: RCE fee required under 37 C.F.R. § 1.17(e) | \$790.00 (1801)/\$395.00 (2801) | \$ | 790.00 |
|---|---------------------------------|----|--------|

TOTAL FEE \$ 790.00

☒ **CREDIT CARD PAYMENT FORM ATTACHED.**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor
Arlington, Virginia 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
BJS:pp

NIXON & VANDERHUYE, P.C. 007 JADD01
By Atty: B. J. Sadoff, Reg. No. 36,663
01 FC:1801

00000027 10763276
790.00 0P

Signature: _____



REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL TYPE

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



| | |
|------------------------|------------------|
| Application Number | 10/763,276 |
| Filing Date | January 26, 2004 |
| First Named Inventor | Shibuya |
| Group Art Unit | 1642 |
| Examiner Name | Reddig |
| Attorney Docket Number | BJS-249-323 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. § 1.114.

- a. ☒ Previously submitted (Note: Any previously filed unentered amendments will be entered unless applicant instructs otherwise. If applicant does not wish to have previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).)
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on December 28, 2006
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other Second Amendment After Final Rejection and English translation of previously-submitted deposit receipt

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 35 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ Applicant claims "small entity" status.
- b. ☒ Fees are attached as calculated below:
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) \$790.00 (1801)/\$395.00 (2801) \$ 790.00
- ii. ☐ Petition is made to extend the due date _____ months (less _____ months previously paid) \$ _____
- iii. ☐ Other _____ \$ _____
- c. ☐ Check in the amount of \$ _____ enclosed.
- d. ☒ Payment by credit card (credit card payment form attached) in the amount of \$ 790.00
- e. ☒ The Director is hereby authorized to charge any deficiency in the fee(s) filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm), to Deposit Account No. 14-1140

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|--------------|-----------------------------------|----------------|
| Name (Print Type) | B. J. Sadoff | Registration No. (Attorney/Agent) | 36,663 |
| Signature | | Date | April 30, 2007 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

| | | | |
|-------------------|--|------|--|
| Name (Print Type) | | Date | |
| Signature | | Date | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, Box RCE, P.O. Box 1450, Alexandria, VA 22313-1450,